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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Under the Pa Application Number 10/798,759 TRANSMITTAL Filing Date March 11, 2004 **FORM** First Named Inventor John D. Russell Art Unit 3747 (to be used for all correspondence after initial filing) **Examiner Name** John Kwon Attorney Docket Number 12 81099584 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please X Terminal Disclaimer Extension of Time Request Identify below): - Response to Notice of Non-Compliant Amendment Request for Refund **Express Abandonment Request** - Copy of Change of Correspondence Address and Power of Attorney filed July 16, 2004 CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm B. Anna McCov, Registration No. 46,077 Kolisch Hartwell, P.C. Individual name Signature Date August 24, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Lauren Barberena Date August 24, 2004 Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Date: August 24, 2004

JOHN D. RUSSELL and BRIAN D. RUTKOWSKI

Serial No.: 10/798,759

Group Art Unit: 3747

Filed : March 11, 2004

Examiner: John Kwon

For

SPEED CONTROL METHOD

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the Office Communication mailed August 12, 2004, attached is a complete listing of all the claims.